Metropolitan view

High courtroom drama closes curtain on a New

By ALLAN KATZ

The pinball trial had enough moments of high drama to fill a better-than-average courtroom drama.

At that, the moments of drama publicly witnessed were only part of the iceberg that made up this case. There was the private conflict and anguish as the respective sides shaped their strategies as well as alternating optimism and depression as the case neared the jury.

There was the suspense and suffering of the families of the accused who have waited with trepidation for two years since the arrests, not to mention how the defendants must have felt.

AND, THAT DOESN'T start to catalog the private views of the judge, the news media and the jurors, all of whom staged their own private dramas. It isn't likely that any members of the jury kept a private journal of each day's thoughts. It would make interesting reading months from now when the details of the trial have faded from most of our memories.

This is being written as the jurors begin their deliberations in the most important trial this city has seen since Jim Garrison's unfortunate prosecution of Clay Shaw in 1969.

By the time you read this, we'll all know what the verdict (or non-verdict as the likelihood of a hung jury and a resulting mistrial does exist) was and why it was reached.

But, in the midst of the analysis that will be going on today, it might be well to review briefly some of this trial's moments of drama. Here, in chronological order, are my nominations for the most dramatic moments and their import:

— ON THE FOURTH DAY of the trial, Aug. 24, former police Capt. Frederick Soule produces his pickle jar containing $63,000 that he said he had kept buried in his back yard in Gentilly since 1963.

Soule testified it was bribe money he got while head of the vice squad and later while an investigator for the DA's office. Soule said his wife wanted to burn the money when she found it. He had been afraid to spend it.

U.S. Atty. Gerald Gallinghouse and Soule had commandeered a pickup truck to go to the Soule home to get the money the morning that it was produced in court. Gallinghouse had to talk Mrs. Soule into showing him where the money was hidden.

It'll make a great chapter in the book.

— ON AUG. 30, pinball executive Lawrence Lagarde Sr. drops the trial's single biggest bombshell. He testifies, and is later supported by his partner, John Elms Jr., that they sent $30,000 in protection money to Joe Giarrusso at the time when Giarrusso was serving as one of this city's most respected police superintendents.

The city is shocked. Hundreds of New Orleanians ask each other, "Do you believe it? Do you think he would have taken it?" Giarrusso's plans to run for councilman-at-large are damaged, possibly beyond repair.

He is called before a grand jury. A career previously viewed as distinguished is now under suspicion. This is a new drama that will continue beyond the present trial. No matter how it turns out, Giarrusso's life will never quite be the same.

— ON SEPT. 13, as the trial begins its fourth week, Garrison "fires" his attorneys and takes over his own defense. Few say so out loud but courtroom observers believe the firing is at least part of a strategy to allow the charismatic DA to lavish his considerable charm on the jury without having to take the stand in his own defense.

The courtroom observers reason that if Garrison takes the stand, he risks a perjury charge on the eve of the upcoming DA's election, even if he is acquitted by this jury. By acting as his own attorney, he has a chance to express himself to the jury without running the risks inherent in testifying.

The Monday Morning quarterbacks sit back and smile at Garrison's decision. They know that if Garrison is acquitted, they'll hail his strategy as bordering on genius. If he's convicted, they'll point out that he hasn't tried a case in 12 years and they'll say he never should have attempted to pick up his law career at this juncture.

— ON SEPT. 20, one month after the trial began, Pershing Gervais, colorful, stained, a man who represents the city's tradition of loving character more than purity, takes the stand.

He says he has come to testify — and his friends believe it — because Garrison has put on the stand previously two of the DA's aides, Lynn Loisel and Louis Ivon, who have attacked Gervais as a low-down character.

Gervais says privately, and it is also believed, that he wouldn't have minded being assailed by people he has a higher regard for than Loisel or Ivon but he won't take it from them.

Was putting on Ivon and Loisel a ham-handed mistake by

Garrison or a brilliant strategy to smoke out Gervais? More grist for the Monday Morning quarterbacks' mill, depending on how the verdict goes. Gervais testifies against Garrison. For the first time, the jury sees the man whose voice — and vulgarisms — they have heard on 50 tapes that he collected. What are the jurors thinking? Their faces give no clue.

— ON SEPT. 25, five weeks into the trial, Garrison makes his final presentation to the jury. Obviously rusty due to lack of courtroom practice, he is occasionally brilliant, sometimes rambling.

His closing lines are a symphony. He quotes a passage from Browning — "One more devil's triumph and sorrow for the angels; one more wrong to man, one more insult to God" — mentions the strain his children have been under for two years and chokes up. Several jurors appear to choke up, also.

It's all over now, one way or another. During the trial, I kept thinking, "This is how an era ends." Pinball machines were as much a part of our culture as red beans and rice for 30 years. As a teen-ager, I dropped my nickles into the machines as did hundreds of thousands of other New Orleanians. If cops walked in, they looked the other way.

WHATEVER ELSE, through those who admitted to paying and receiving bribes during the trial, we got an idea of how the pinball industry stayed alive through the years — a system most of us participated in or accepted in one way or another.

Now, millions of dollars and 30 years later, it's over.